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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 BRIAN EGGLESTON,

11 Petitioner,

12 v.

13 MARGARET GILBERT,

14 Respondent.

CASE NO. 3:16-CV-05159-RBL-DWC

ORDER LIFTING STAY

15 The District Court has referred this action to United States Magistrate Judge David W.  
16 Christel. Petitioner Brian Eggleston filed a federal habeas Petition, pursuant to 28 U.S.C. § 2254,  
17 seeking relief from a state court conviction. On November 8, 2016, the Court stayed this case  
18 pending the resolution of Petitioner's state personal restraint petition ("PRP"). Dkt. 12. The  
19 Court continued the stay on February 3, 2017, May 1, 2017, and August 8, 2017, and directed  
20 Petitioner to inform the Court and file a motion to lift the stay if the state court resolved the PRP.  
21 Dkt. 14, 16, 18. On October 18, 2017, Petitioner filed a Status Report Re: Pending State Court  
22 Proceedings stating Petitioner's PRP is now final. Dkt. 19. Petitioner does not object to the Court  
23 lifting the stay. *Id.* Petitioner, however, did not file a motion to lift the stay.  
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1 After considering Petitioner's Status Report and the relevant record, the Court lifts the  
2 stay. Respondent shall file an answer to the Amended Petition as directed in the Order Directing  
3 Service (Dkt. 2) by December 4, 2017.

4 Dated this 20th day of October, 2017.

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7 David W. Christel  
8 United States Magistrate Judge  
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